

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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COURTNEY LINDE, et al.,

Plaintiffs,

CV-04-2799 (NG)(VVP)

- v -

AND ALL RELATED CASES¹

ARAB BANK, PLC,

Defendant.

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MEMORANDUM ORDER

The plaintiffs have requested a ruling concerning the defendant's objection to producing Abdel Hamid Shoman, Arab Bank's Chief Executive Officer and Chairman, for a deposition. Having reviewed the submissions and other arguments concerning the issue, the court concludes that the deposition should proceed. A central issue for resolution in this litigation, which concerns thousands of plaintiffs who claim to have been injured as a result of terrorist attacks during the Second Intifada in Israel and the Palestinian territories, is the extent of the Bank's knowledge of any financial assistance it may have rendered to those responsible for conducting the attacks. Given the positions held by Mr. Shoman both at Arab Bank and at Arab National Bank at various times during which critical events underlying the plaintiffs' claims occurred, he is in a rather unique position to have information that bears on the extent of the defendant's knowledge of any such financial assistance. One particularly significant area of inquiry concerns the relationships between and among the Saudi Committee, alleged to be a principal vehicle for funneling assistance to terrorists, the Arab National Bank, which served as the banker for the Saudi Committee, and Arab Bank, which acted on the instructions of the Arab National Bank in distributing funds in the Palestinian territories. Other areas identified by the plaintiffs, although

¹The following related cases have been consolidated with the instant case for purposes of discovery and other pretrial proceedings: *Philip Litle, et al. v. Arab Bank, PLC*, CV-04-5449 (NG)(VVP), *Oran Almog, et al. v. Arab Bank, PLC*, CV-04-5564 (NG)(VVP), *Robert L. Coulter Sr., et al. v. Arab Bank, PLC*, CV-05-365 (NG)(VVP), *Gila Afriat-Kurtzer, et al. v. Arab Bank, PLC*, CV-05-388 (NG)(VVP), *Michael Bennett et al. v. Arab Bank, PLC*, CV-05-3183 (NG)(VVP), *Arnold Roth, et al. v. Arab Bank, PLC*, CV-05-3738 (NG)(VVP), *Stewart Weiss, et al. v. Arab Bank, PLC*, CV-06-1623 (NG)(VVP), and *Joseph Jesner, et al. v. Arab Bank, PLC*, CV-06-3869 (NG)(VVP).

perhaps not as compelling, are also at least reasonably calculated to lead to admissible evidence.

Although Mr. Shoman may have information relevant to this action, because there are others at the bank who have either already provided information about many of the areas of inquiry identified by the plaintiffs or are able to do so, limitations on the deposition are appropriate. Accordingly, the areas of inquiry are limited to those identified in the plaintiffs' October 23, 2009 letter to the court, and the time of the deposition is limited to five hours.

SO ORDERED:

Viktor V. Pohorelsky

VIKTOR V. POHORELSKY
United States Magistrate Judge

Dated: Brooklyn, New York
December 31, 2009